

In the High Court of Judicature at Madras

Dated : 02.6.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.11094 of 2016 and WMP.No.12483 of 2016

R.K.Jayanthi

...Petitioner

Vs

1.The Transport Commissioner,
Chennai-5.

2.The Regional Transport Officer,
Chennai (Central).

....Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the representation dated 15.1.2016 and consequently direct the respondents to order suspension of registration of the petitioner's Fortuner Car bearing Regn. No.TN-01-AS-0004 temporarily.

For Petitioner : Mr.N.Subramani
For Respondents : Mr.A.Zakir Hussain, GA

ORDER

Heard both sides.

2. The petitioner seeks a direction to the respondents 1 and 2 to consider her representation dated 15.1.2016 in and by which, the petitioner requested for cancellation of the certificate of registration issued for a Toyota Fortuner Car bearing Regn.No.TN-01-AS-0004.

3. From the representation and the legal notice sent by the petitioner, it is seen that there is a private dispute between the petitioner and one Poomalai Shanmugam and her case is that she had given her car to him for being used for his daughter's marriage. First, the petitioner has to adjudicate the issue before the appropriate forum and unless and until she gets possession of the vehicle, the question of surrendering the certificate of registration does not arise, as the vehicle has to be produced at the time of surrender.

4. Though the prayer as sought for cannot be granted, liberty is granted to the petitioner to adjudicate her grievance against the private party before the appropriate forum.

5. With the above observation, the writ petition is dismissed. No costs. Consequently, the WMP for impleadment is also dismissed.

s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Transport Commissioner, Chennai-5.

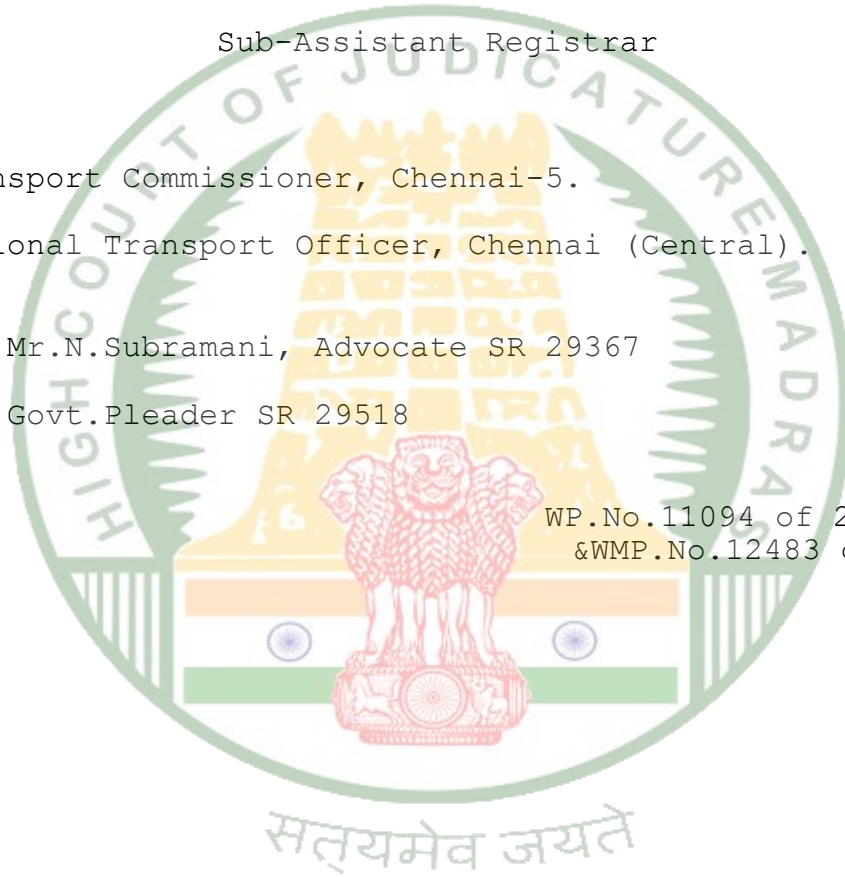
2.The Regional Transport Officer, Chennai (Central).

+ 1 cc to Mr.N.Subramani, Advocate SR 29367

+ 1 cc to Govt.Pleader SR 29518

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&WMP.No.12483 of 2016



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